



Docket No.: 20052/1200518-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Randolph J. Noelle et al.

Patent No.: 5,747,037

Issued: May 5, 1998

For: METHODS FOR INDUCING ANTIGEN-
SPECIFIC T CELL TOLERANCE

#17
JP

**REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.322 AND 37 CFR 1.322**

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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NOV 03 2005

OFFICE OF PETITIONS

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted several errors which should be corrected.

In the Specification:

Repln. Ref: 11/01/2005 BABRAHA1 0023000000
DAH:040100 Name/Number:5747037
FC: 9204 \$130.00 CR

First Page Col. 1 (Other Publications), Line 1, Delete "(H2)" and insert -- (ED) --.

First Page Col. 1 (Other Publications), Line 1, Delete "Raveu" and insert -- Raven --.

First Page Col. 1 (Other Publications), Line 2, After "only." Insert -- * --.

In the Abstract, Line 6, please delete "ATTC" and insert -- ATCC --.

Column 2, Line 27, After "Eur. J" insert --.

11/01/2005 BABRAHA1 00000036-5747037

01-FC:1811

100.00-0P

11/01/2005 BABRAHA1 00000116 5747037

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100.00 0P

NOV 30 2005

Column 11, Line 33, Delete "pretreatment" and insert -- pre-treatment --.

Column 27, Line 25 (Approx.) After "PBL" insert --..

Column 30, Claim 1, Line 31, please delete “HB1713” and insert -- HB11713 --.

Column 30, Claim 2, Line 34, please delete “HB1713” and insert -- HB11713 --.

Column 30, Claim 3, Line 37, please delete "HB1712" and insert -- HB11712 --.

Column 30, Claim 5, Line 43, please delete “HB1713” and insert -- HB 11713 --.

Column 30, Claim 6, Line 46, please delete “HB1712” and insert -- HB11712 --.

Enclosed please find copies of the Notice of References Cited, Pages 2, 13, & 33 of the application. Copies of the American Type Culture Collection and the Examiner's Amendment.

The following errors were found in the application as filed by applicant. The errors now sought to be corrected are inadvertent typographical errors, the correction of which does not involve new matter or require reexamination.

Column 3, Line 6 (Approx.), Delete “it’s” and insert -- its --.

Column 3, Line 44-45, Delete “pharmacuetical” and insert -- pharmaceutical --.

Column 12, Line 2, Delete “necessay” and insert -- necessary --.

Column 13, Line 67, Delete “examples” and insert -- examples --.

Column 16, Line 42, Delete "treatement" and insert -- treatment --.

Column 17, Line 49 (Approx.) After “and the” delete “the”.

Column 25, Line 30, After "11B for" delete "for".


Column 27, Line 32, Delete "adminstered" and insert -- administered --.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment.
Patentee respectfully solicits the granting of the requested Certificate of Correction.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100. Enclosed please find a check for \$230.00.

Dated: October 12, 2005

Respectfully submitted,

By 

Flynn Barrison

Registration No.: 53,970

DARBY & DARBY P.C.

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New York, New York 10150-5257

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Attorneys/Agents For Applicant



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 596-433 ATCCNORTH • FAX: 301-770-1547

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Dartmouth Medical School
Attention: Randolph J. Noelle
640 W. Borwell Building
Dartmouth Medical School
1 Medical Center Drive
Lebanon, NH 03756

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OFFICE OF PETITIONS

Deposited on Behalf of: Trustees of Dartmouth College

Identification Reference by Depositor:

ATCC Designation

Mouse hybridoma IgG1 anti-human CD40 Ligand (gp39), 24-31	HB 11712
Mouse hybridoma IgG1 anti-human CD40 Ligand (gp39), 89-76	HB 11713

The deposits were accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposits were received September 2, 1994 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains.

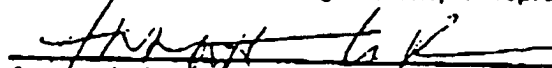
If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested September 8, 1994. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:


Annette L. Bado, Director, Patent Depository

Date: September 9, 1994

cc: Amy E. Mandragouras ✓

DETAILED ACTION

1. Applicant's amendment, filed 7/17/97 (Paper No. 10) is acknowledged.
Claims 1-21 have been canceled.
Claims 22-29 have been added.

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EXAMINER'S AMENDMENT

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2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.
3. Authorization for this Examiner's Amendment was given in a telephone interview with Robin Teskin on 10/23/97.
4. Cancel claim 22.
5. Add claim 30 as follows.
-- Claim 30. An anti-human gp39 (CD40L) monoclonal antibody that binds the epitope recognized by a monoclonal antibody selected from the group consisting of 24-31 secreted by hybridoma 24-31 designated by ATCC Accession No. HB1712 and 89-76 secreted by hybridoma 89-76 designated by ATCC Accession No. HB1713. --
6. Amend claim 23 by adding after "89-76":
-- secreted by hybridoma 89-76 designated by ATCC Accession No. HB1713 -- .
7. Amend claim 23 by replacing "22" with -- 30 --.
8. Amend claim 24 by adding after "24-31":
-- secreted by hybridoma 24-31 designated by ATCC Accession No. HB1712 -- .
9. Amend claim 24 by replacing "22" with -- 30 --.
10. Amend claim 27 by adding after "anti-human":
-- gp39 -- .
11. Amend claim 27 by replacing "22" with -- 30 --.
12. Amend claim 28 by adding after "89-76":
-- secreted by hybridoma 89-76 designated by ATCC Accession No. HB1713 -- .

FORM PTO-892 (REV. 2-92)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 08/475847	SUBPART UNIT 1806	ATTACHMENT TO PAPER NUMBER 5			
<div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: 8px;">PATENT & TRADEMARK OFFICE</div> <div style="text-align: center;"> NOTICE OF REFERENCES CITED OCT 27 2005 </div> </div>				APPLICANT(S) NOELLE ET AL.					
U.S. PATENT DOCUMENTS									
•		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE		
	A								
	B								
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FOREIGN PATENT DOCUMENTS									
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)									
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	S								
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	U								
EXAMINER Phillip Gambel				DATE 1/15/97					
* A copy of this reference is not being furnished with this office action. (See Manual of Patent Examining Procedure, section 707.05 (a).)									

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 2

PATENT NO. : 5,747,037
APPLICATION NO. : 08/475,847
ISSUE DATE : May 5, 1998
INVENTOR(S) : Randolph J. Noelle et al.

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It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

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Column 3, Line 44-45, Delete "pharmacuetical" and insert -- pharmaceutical --.

Column 11, Line 33, Delete "pretreatment" and insert -- pre-treatment --.

MAILING ADDRESS OF SENDER:
Flynn Barrison
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257

NOV 30 2005

Column 13, Line 67, Delete "exampes" and insert -- examples --.

Column 16, Line 42, Delete "treatement" and insert -- treatment --.

Column 17, Line 49 (Approx.) After "and the" delete "the".

Column 27, Line 25 (Approx.) After "PBL" insert --.--.

Column 27, Line 32, Delete "adminstered" and insert -- administered --.

Column 30, Claim 1, Line 31, please delete "HB1713" and insert -- HB11713 --.

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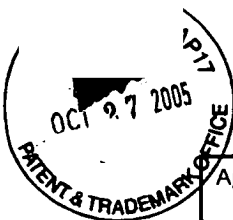
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New York, New York 10150-5257



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R

Application No. (if known): 08/475,847

Attorney Docket No.: 20052/1200518-US2

Certificate of Express Mailing Under 37 CFR 1.10

Certificate

NOV 29 2005

of Correction

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. in an envelope addressed to:

EV 692133660-US

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on October 27, 2005
Date

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Lillian Garcia
Signature

Lillian Garcia
Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Certificate of Correction (1 page)
Request for Certificate of Correction (2 pages)
Copy of Notice of References Cited (1 page)
Pages of the Application 2, 13, & 33 (3 pages)
Copy of the American Type Culture Collection (1 page)
Copy of the Examiner's Amendment (1 page)
Check for \$230.00 10140
Return Postcard

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 5,747,037
APPLICATION NO. : 08/475847
DATED : May 5, 1998
INVENTOR(S) : Randolph J. Noelle et al.

Page 2 of 2

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Column 30, Line 46, please delete "HB1712" and insert -- HB11712 --.

Signed and Sealed this

Twenty-fourth Day of October, 2006

A handwritten signature in black ink, appearing to read "Jon W. Dudas". The signature is stylized with a large, looped initial "J" and a distinct "D".

JON W. DUDAS
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 2

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New York, New York 10150-5257

NOV 30 2005

2 of 2

PTO/SB/44 (04-05)

Approved for use through 04/30/2007. OMB 0651-0033

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

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A

✓

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✓

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✓

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A

✓

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